UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

SHERRON WILSON,)	
)	
Petitioner,)	
)	
VS.)	Case No. 4:06CV00675 ERW
)	
DON ROPER, ¹)	
)	
Respondent.)	

MEMORANDUM AND ORDER

This matter is before the Court upon the Report and Recommendation of United States Magistrate Frederick R. Buckles [doc. #24], pursuant to 28 U.S.C. § 636(b). The Court notes that no objections were filed to the Report and Recommendation. After consideration of the issues, the Court hereby sustains, adopts, and incorporates herein the Magistrate's Report and Recommendation.

In addition, a certificate of appealability may only be issued when "the applicant has made a substantial showing of the denial of a constitutional right." *See Slack v. McDaniel*, 529 U.S. 473, 483-84 (2000); *see also Langley v. Norris*, 465 F.3d 861, 863 (8th Cir. 2006). Petitioner has made no such showing. Furthermore, the Court does not believe that reasonable jurists might find the Court's decision debatable or wrong, for purposes of issuing a certificate of appealability under

¹Petitioner is currently incarcerated at the South Central Correctional Center (SCCC) in Licking, Missouri. Inasmuch as Michael Bowersox is Warden of SCCC, he is hereby substituted for Don Roper as proper party respondent. In addition, because Petitioner is challenging a sentence to be served in the future, Missouri Attorney General Chris Koster is hereby added as a proper party respondent. Rule 2(a), (b), Rules Governing Section 2254 Cases in the United States District Courts.

28 U.S.C. § 2253(c)(1)(A). *Slack*, 529 U.S. at 483-84. Therefore, the Court shall not issue a certificate of appealability as to any claim raised in the Petition.

Accordingly,

IT IS HEREBY ORDERED that Petitioner Sherron Wilson's Petition for Writ of Habeas Corpus [doc. #1] is **DENIED**.

IT IS FURTHER ORDERED that a Certificate of Appealability is **DENIED**.

Dated this 29th Day of July, 2009.

E. RICHARD WEBBER

UNITED STATES DISTRICT JUDGE